

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**ADMINISTRATOR CHRISTOPHER
M COOPER,**

Plaintiff,

v.

**Civil Action 2:19-cv-3105
Judge George C. Smith
Chief Magistrate Judge Elizabeth P. Deavers**

CITY OF COLUMBUS, OHIO, *et al.*,

Defendants.

PRELIMINARY PRETRIAL ORDER

Based upon the parties' Report pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the Court **ADOPTS** the following schedule:

INITIAL DISCLOSURES

Initial disclosures shall be made by **FEBRUARY 7, 2020**.

VENUE AND JURISDICTION

There are no issues related to venue or jurisdiction.

PARTIES AND PLEADINGS

Any motion to amend the pleadings or to join additional parties shall be filed by **MARCH 1, 2020**.

ISSUES

This case arises from the death of Deaunte Bell-McGrew on October 29, 2015. Plaintiff brings this action against Defendants asserting unreasonable seizure in violation of the Fourth Amendment, selective enforcement and racial discrimination in violation of the Fourteenth Amendment, a *Monell* claim against the City of Columbus, and claims for wrongful death and survivorship under Ohio law. There is a jury demand.

DISCOVERY PROCEDURES

All discovery shall be completed by **OCTOBER 1, 2020**. For purposes of complying with this order, all parties shall schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and shall file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court.

The parties will produce ESI in its native form or in a form that may be reasonably accessed by the opposing party.

DISPOSITIVE MOTIONS

Any dispositive motion shall be filed by **NOVEMBER 15, 2020**.

EXPERT TESTIMONY

Primary expert reports must be produced by **JULY 30, 2020**. Rebuttal expert reports must be produced by **AUGUST 30, 2020**. If the expert is specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(B), unless otherwise agreed to by the parties. If the expert is not specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(C), unless otherwise agreed to by the parties. Pursuant to Fed. R. Civ. P. 26(b)(4)(A), leave of court is not required to depose a testifying expert.

SETTLEMENT

Plaintiff shall make a settlement demand by **SEPTEMBER 15, 2020**. Defendants shall respond by **SEPTEMBER 30, 2020**. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference in October 2020. In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the settlement conference. The parties understand that they will be expected to comply fully with the settlement order which requires *inter alia* that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

OTHER MATTERS

None.

If the foregoing does not accurately record the matters considered and the agreements reached at the conference, counsel will please immediately make their objection in writing. If any date set in this order falls on a Saturday, Sunday or legal holiday, the date is automatically deemed to be the next regular business day.

IT IS SO ORDERED.

Date: January 6, 2020

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
CHIEF UNITED STATES MAGISTRATE JUDGE